

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

LYNNE DUGGAN

§

Plaintiffs,

§

VS.

§

Case No. 4:11cv606

**EMERSON PROCESS MANAGEMENT,
FISHER DIVISION a/k/a FISHER
CONTROLS and EMERSON
ELECTRIC COMPANY**

§

Defendant.

§

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 21, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion to Dismiss (Dkt. 27) be GRANTED and that Plaintiff's claims herein be DISMISSED with PREJUDICE.

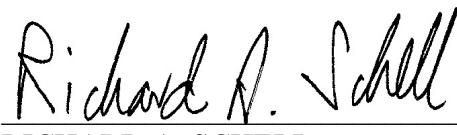
The court has made a *de novo* review of the objections and arguments raised by *pro se* Plaintiff in her "Motion to Vacate and Set Aside Judge's Decision Dated February 21, 2013" (*see* Dkts. 51) and is of the opinion that the findings and conclusions of the Magistrate Judge are correct and Plaintiff's objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and

conclusions of this court and DENIES the request for the court to vacate the February 21, 2013 decision.

Therefore, Defendants' Motion to Dismiss (Dkt. 27) is GRANTED and Plaintiff's claims herein are DISMISSED with PREJUDICE.

IT IS SO ORDERED._____

SIGNED this the 27th day of March, 2013.



RICHARD A. SCELL
UNITED STATES DISTRICT JUDGE